The Board on Public Safety Standards and Training (BPSST) has the legislative mandate to establish and enforce minimum standards for all law enforcement officers, fire service professionals, telecommunicators and emergency medical dispatchers in the state. This requirement also defines the procedure for the Department and Board to use when denying or revoking certification of an individual who has fallen below the minimum standards.

The Ethics Bulletin is published to provide insight into the types of misconduct that could result in revocation or denial of certification. The following cases have resulted in consideration of revocation or denial of certifications by DPSST in June, 2015.

The Department continues to ensure that certified public safety officers and those seeking certification who abuse the public's trust will be held accountable for their actions.

### June Statistics

<table>
<thead>
<tr>
<th>Case Status</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases Opened</td>
<td>21</td>
</tr>
<tr>
<td>Cases Closed</td>
<td>28</td>
</tr>
<tr>
<td>Cases Pending</td>
<td>120</td>
</tr>
<tr>
<td>Reinstated</td>
<td>0</td>
</tr>
</tbody>
</table>

Of the 28 Cases Closed:

- Revoked: 3
- Denied: 0
- No Action: 25

**Telecommunicator A** was discharged for cause after an investigation determined she had failed a Last Chance Agreement subsequent to a Performance Improvement Plan and a Corrective Action Plan. The conduct that led to these plans and the failure to perform under the Last Chance Agreement constituted Gross Misconduct and Incompetence. Prior to DPSST initiating a formal mandatory revocation proceeding based on the discharge for cause, Telecommunicator A signed a Stipulation Voluntarily Relinquishing Certification, which permanently revoked her Emergency Medical Dispatcher certification. Telecommunicator A's misconduct ended her six-year career.

**Telecommunicator A's Basic Emergency Medical Dispatcher certification is Revoked.**

**Officer B** resigned while under investigation for his conduct in a road rage incident and for his improper relationship with a former inmate at the jail where he was employed. Prior to DPSST initiating a formal revocation proceeding, Officer B signed a Stipulation Voluntarily Relinquishing Certification, which permanently revoked his Basic Corrections certification. Officer B's misconduct ended his four-year career.

**Officer B's Basic Corrections certification is Revoked.**

**Officer C** was terminated from employment as a police officer in 2009. After receipt of a LEDS hit, DPSST learned that Officer C has been charged and subsequently convicted of Fraudulent Use of a Credit Card. Officer C was served with a Notice of Intent to Revoke and failed to request a hearing. Officer C's certifications were revoked by default.

**Officer C's Basic Police Certification is Revoked.**
DPSST Certification and Recreational Marijuana Use

With the recent legalization of marijuana, DPSST has received a number of questions about the impact recreational marijuana use will have on an individual's ability to hold DPSST certification as a public safety officer. It's important to realize that under current administrative rule, DPSST may initiate a professional standards investigation into a public safety officer's certification if there is a criminal conviction or there is a reported separation from employment as a public safety officer.

What does this mean? Recreational marijuana use will be handled in the same manner that alcohol consumption is handled. Its use within the confines set by the law is not an automatic disqualifier. However, if a public safety officer commits a criminal act resulting from marijuana use (i.e. DUII), a case would be opened and certification reviewed based on the conviction.

Furthermore, it is the responsibility of each employing agency to set employment policies governing their employees. DPSST can’t and won’t weigh in on these discussions. If marijuana use by an employee results in the violation of an agency policy and the separation of a public safety officer from employment, DPSST will review the separation to determine if a certification standard has been violated. If yes, then denial/revocation proceedings may be initiated as dictated by rule. If no, the case will be administratively closed. These situations will inevitably vary drastically and, as a result, will be looked at on a case-by-case basis.

Any questions or concerns can be directed to DPSST Professional Standards:

Kristen Hibberds  
Professional Standards Investigator/Coordinator  
503-378-6702  
Kristen.hibberds@state.or.us

Leon Colas  
Professional Standards Investigator/Coordinator  
503-378-2305  
Leon.colas@state.or.us